

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LORETTA JACKSON,

Plaintiff Below,
Appellant,

v.

DELAWARE OFFICE OF
ANIMAL WELFARE and
DELAWARE DIVISION OF
PUBLIC HEALTH,

Defendants Below,
Appellees.

§

§

§ No. 219, 2021

§

§ Court Below—Superior Court
§ of the State of Delaware

§

§ C.A. No. N21C-06-065

§

§

§

§

§

§

Submitted: February 4, 2022

Decided: March 22, 2022

Before **VAUGHN, TRAYNOR**, and **MONTGOMERY-REEVES**, Justices.

ORDER

After careful consideration of the parties’ briefs and the record below, we conclude that the Superior Court’s dismissal of the complaint filed by the plaintiff below-appellant, Loretta Jackson, should be affirmed. The Superior Court dismissed the complaint, which was the third complaint Jackson had filed relating to the death of her dog in June 2016, as barred by *res judicata*. Jackson primarily reargues the Superior Court’s dismissal of her first complaint in this appeal. As this Court previously held in affirming the Superior Court’s dismissal of Jackson’s second

complaint, Jackson cannot relitigate the dismissal of her first complaint.¹ To the extent Jackson argues that *res judicata* did not bar her new claim that the defendants below-appellees committed fraud by providing a false name for the animal welfare officer allegedly responsible for the death of her dog, that claim would be barred by the three-year statute of limitations as Jackson has had notice of the correct name since the filing of the first motion to dismiss in December 2016.²

This is the third appeal Jackson has filed arising from the same claims. We warn Jackson that if the Court finds she has abused the judicial process by filing frivolous or malicious litigation, the Court may enjoin her from filing future appeals without leave of the Court.³

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Gary F. Traynor
Justice

¹ *Jackson v. Barla*, 2019 WL 1941484 (Del. May 1, 2019).

² 10 Del. C. § 8106(a).

³ 10 Del. C. § 8803(e).